



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application of:

Oscar Sircovich

Application No.: 10/527,303

Filed: March 8, 2005

For: **STAIR LIFT SYSTEM**

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) Examiner: DILLON JR, JOSEPH A
)
)
) Art Unit: 3651
)
)
)

Mail Stop – ISSUE FEE
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

RESPONSE TO NOTICE OF ALLOWABILITY

Dear Commissioner:

This is in response to Notice of Allowability mailed August 24, 2006. In the Notice of Allowability, in the attached Information Disclosure Statement, the Examiner contends that two of the references listed on the form PTO 1449 were not supplied. In response, Applicant submits that, in fact, the references were supplied as evidenced by the enclosed copy of the stamped postcard receipt showing that all three prior art (non-US) references were submitted. Enclosed are copies of the two previously submitted references alleged by the Examiner to be missing. Accordingly, issuance of a completed initialed Form PTO-1449A is requested.

If there are any fees due in connection with the filing of this response, please charge those fees to our Deposit Account No. 02-2666. If a telephone interview would expedite the prosecution of this Application, the Examiner is invited to contact the undersigned at (310) 207-3800.

Respectfully submitted,
BLAKELY, SOKOLOFF, TAYLOR, & ZAFMAN

Dated:

8/31/06

By:

Eric S. Hyman, Reg. No. 30,139

CERTIFICATE OF MAILING:

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, California
90025
(310) 207-3800

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop – ISSUE FEE, Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450

Linda Marie D'Elia 8-31-06
August 31, 2006



RECEIVED

AUG 14 2006

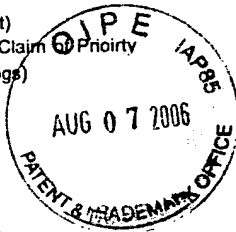
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
LOS ANGELES

Application No.: 10/527,303 Filing Date: 03/08/2005 BSTZ Docket #: 7031.P012 Atty/Sec: ESH/vh
Date Mailed: 8/1/06 Docket Due Date(s): 09/22/2006 Client: DANIEL FREIMANN & CO
Title STAIR LIFT SYSTEM

Inventor(s) Sircovich

The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

- | | |
|---|--|
| <input type="checkbox"/> Amendment: (___ pgs) | <input checked="" type="checkbox"/> Information Disclosure Statement & PTO/SB/08 (___ pgs) |
| <input type="checkbox"/> Appeal Brief (___ pgs) | <input type="checkbox"/> Issue Fee Transmittal (original & copy) |
| <input type="checkbox"/> Application: | <input type="checkbox"/> Nonpublication Request Under 35 U.S.C. 122(b)(2)(B)(i) |
| (___ pages w/ cover & abstract) | <input type="checkbox"/> Notice of Appeal |
| <input type="checkbox"/> Application Amended to Reflect Claim Priority | <input type="checkbox"/> Petition for: ___ |
| <input type="checkbox"/> Assignment & Cover Sheet (___ pgs) | <input checked="" type="checkbox"/> Request for Continued Examination (RCE) |
| <input checked="" type="checkbox"/> Certificate of Mailing | <input type="checkbox"/> Reply Brief (___ pgs) |
| <input type="checkbox"/> Declaration & POA (___ pgs) | <input type="checkbox"/> Request for Priority |
| <input type="checkbox"/> Drawings: ___ sheets, ___ figures | <input type="checkbox"/> Request to Rescind Previous Nonpublication Request |
| <input type="checkbox"/> Express Mail No: ___ | <input type="checkbox"/> Response to Notice of Missing Parts & Formalities Letter |
| <input type="checkbox"/> Extension of Time: ___ | <input type="checkbox"/> Terminal Disclaimer |
| <input checked="" type="checkbox"/> Fee Transmittal (original & copy) | <input type="checkbox"/> Transmittal of Formal Drawings |
| <input checked="" type="checkbox"/> Other <u>International Search Report: 3 prior art references:</u> | <input type="checkbox"/> Transmittal of Publication Fee Due |
| <u>return postcard</u> | <input type="checkbox"/> Transmittal Letter |
| LA | <input checked="" type="checkbox"/> Check No. <u>3124</u> in the Amount of <u>\$790.00</u> |
| Assignee: | <input type="checkbox"/> Check No. _____ in the Amount of _____ |
| 26126/3 | |



C



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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application No.	10/527,303
		Filing Date	March 8, 2005
		First Named Inventor	Oscar Sircovich
		Art Unit	3651
		Examiner Name	Dillon Jr, Joseph A
Total Number of Pages in This Submission	3	Attorney Docket Number	7031P012

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> PTO/SB/08 <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Basic Filing Fee <input type="checkbox"/> Declaration/POA <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <div style="border: 1px solid black; padding: 5px; margin-top: 5px;">return postcard</div>
Remarks Response To Notice of Allowability (1 page) copy of two Non-US IDS references copy of stamped return postcard		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Eric S. Hyman, Reg. No. 30,139 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	8/30/05

CERTIFICATE OF MAILING/TRANSMISSION			
I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.			
Typed or printed name	Linda D'Elia		
Signature		Date	8/31-06



FEE TRANSMITTAL for FY 2005

Patent fees are subject to annual revision.

Complete if Known

Application Number	10/527,303
Filing Date	March 8, 2005
First Named Inventor	Oscar Sircovich
Examiner Name	Dillon Jr, Joseph A
Art Unit	3651
Attorney Docket No.	7031P012

☐ Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$)

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ None ☐ Other (please identify): _____

☐ Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee
☒ Charge any additional fee(s) or underpayment of fee(s) under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20. ☐ Credit any overpayments

FEE CALCULATION

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
2053	130	2053	130	Non-English specification	
1251	120	2251	60	Extension for reply within first month	
1252	450	2252	225	Extension for reply within second month	
1253	1,020	2253	510	Extension for reply within third month	
1254	1,590	2254	795	Extension for reply within fourth month	
1255	2,160	2255	1,080	Extension for reply within fifth month	
1401	500	2401	250	Notice of Appeal	
1402	500	2402	250	Filing a brief in support of an appeal	
1403	1,000	2403	500	Request for oral hearing	
1451	1,510	2451	1,510	Petition to institute a public use proceeding	
1460	130	2460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
1809	790	1809	395	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR § 1.129(b))	

Other fee (specify) _____

SUBTOTAL (2) (\$)

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Eric S. Hyman	Registration No. (Attorney/Agent)	30,139	Telephone	(310) 207-3800
Signature		Date	3/30/05		